

ffw

PTO/SB/21 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/766,642-Conf. #4621	
	Filing Date	January 28, 2004	
	First Named Inventor	Anthony Atala	
	Art Unit	1651	
	Examiner Name	A. M. Ford	
Total Number of Pages in This Submission	2	Attorney Docket Number	105447-0002

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Further Statement of Substance of Interview <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	NUTTER MCCLENNEN & FISH LLP		
Signature			
Printed name	Thomas J. Engellanner		
Date	February 5, 2007	Reg. No.	28,711

Transmittal I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Dated: February 5, 2007 Signature: (Thomas J. Engellanner)	
---	--

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 5, 2007

Signature: _____

(Thomas J. Engelkenner)

Docket No.: 105447-0002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anthony Atala et al.

Application No.: 10/766,642

Confirmation No.: 4621

Filed: January 28, 2004

Art Unit: 1651

For: ENHANCEMENT OF ANGIOGENESIS TO
GRAFTS USING CELLS ENGINEERED TO
PRODUCE GROWTH FACTORS

Examiner: A. M. Ford

FURTHER STATEMENT OF SUBSTANCE OF INTERVIEW

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

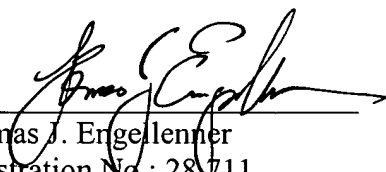
Dear Sir:

In response to the Interview Summary dated January 5, 2007, Applicant's representative notes the telephone interview discussed in the Examiner's summary occurred on November 14, 2006 (not December 14, 2006). Following the interview, Applicant file a response (dated November 28, 2006) which included the substance of the interview and adopted the Examiner's suggestions to clarify the claim language (e.g., removing the terms "*co-administering*", "*implanting*" and "*substantially*" from claim 1 clarifying the steps of claim 2, correcting the dependency of claims 6 and 7 and removing the term "*capable of*" from claim 23). Substantive amendments were also presented (to emphasize the use of *injectable* compositions and/or *transcient transfection*) as discussed during the interview. Applicant's remarks elaborated on these points of distinction.

Since the November 28, 2006 response was filed after the telephonic interview, no further response is believed necessary. Hence, consideration and allowance of the amended claims are requested.

Dated: February 5, 2007

Respectfully submitted,

By 
Thomas J. Engellenner
Registration No.: 28,711
NUTTER MCCLENNEN & FISH LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604
(617) 439-2000
(617) 310-9000 (Fax)
Attorney for Applicant

1602469.1